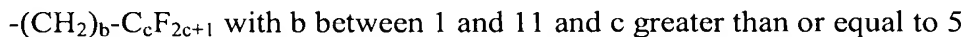


REMARKS/ARGUMENTS

The above amendment places previously considered Claim 18 in independent form, and cancels several claims. The amendment thus should be entered as no new issues are raised, and the case is placed in better form for appeal. For example, the anticipation rejection over EP '464 is mooted.

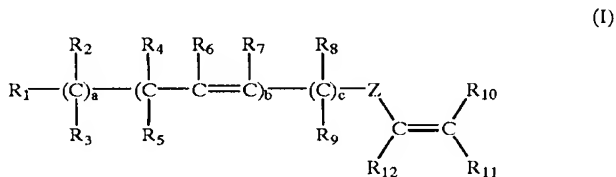
The remaining rejections of Claim 18 over EP '464 in view either Thames or Denk are traversed.

As recognized by the Examiner, EP '464 does not disclose co-oligomer (O1) comprising at least one monomeric unit identical to that derived from monomer (M1) in polymer (P1) and at least one monomeric unit (m2) derived from an ethylenically unsaturated monomer and carrying a fluorinated group of the formula:



Thames is cited for this purpose. However, Thames fails to disclose such a monomeric unit (m2) carrying a fluorinated group of the above-noted formula.

Specifically, the fluorinated monomers disclosed in Thames are those of reference formula (I) appearing at Column 5, lines 15-25:



While certain R groups can be fluorinated (see column 5, lines 33-36 of the reference) the monomer itself depicted by Formula (I) above does not meet the requirement for component (B) herein because, for example, b has a value of 1 or 2 (see column 6, lines 25-26), thereby requiring an internal unsaturation. Moreover, and even focusing on the definition of R₁-R₉ with regard to fluoralkyl groups C_nH_xF_y, nothing in the reference discloses or suggests the particular arrangement of hydrogen and fluorine atoms as depicted in presently claimed formula $-(CH_2)_b-CF_{2c+1}$ wherein the hydrocarbon and fluorocarbon atoms are completely segregated from one another. This is made clear at col. 7, lines 12ff of Thames, where none of the suggested fluorine-containing groups meet the formula $-(CH_2)_b-CF_{2c+1}$:

Representative examples of linear or branched alkyl and fluoroalkyl groups having 1 to 10 carbon atoms include, for example, methyl, trifluoromethyl, ethyl, 1-1-2-trifluoroethyl, pentafluoroethyl, propyl, perfluoropropyl, 15 isopropyl, butyl, isobutyl, tert-butyl, perfluorobutyl, 1-1-2-3-3-pentafluorobutyl, pentyl, hexyl, heptyl, octyl, nonyl, and decanyl.

Linear or branched alkenyl means alkenyl moiety having 2 to 10 carbon atoms, and includes, for example, vinyl, 20 1-propenyl, allyl, isopropenyl, 2-butenyl, 1-3-butadienyl, 2-pentenyl, 2-hexenyl, 2-octenyl, 3-nonenyl, and 4-decenyl.

Examples of arylene and substituted arylene group having 6 to 10 carbon atoms are: 1,4-phenylene, 1,3-phenylene, 1,2-phenylene, 2,6-naphthylene, 2,7-naphthylene, 1,4- 25 naphthylene, 4-4'-biphenylene, and 3-4'-biphenylene.

Examples of linear or branched alkylene and fluoroalkylene groups having 1 to 10 carbon atoms include methylene, difluoromethylene, 1-2-ethylene, 1-2-tetrafluoroethylene, 1-2-trifluoroethylene, 1-3-propylene, 1-2-propylene, 1-3- 30 hexafluoropropylene, 1-3-tetrafluoropropylene, 1-4-butylene, 1-5-pentylene, 1-6-hexylene, 1-7-heptylene, 1-8-octylene, 1-9-nonylene, 4-ethyl-1-8-octylene 1-10-decylene.

Finally, another important distinction between Thames and the present invention is that Thames refers to a single polymer, and not to a polymer composition comprising a polymer and co-oligomer, as presently claimed.¹ The rejection should be withdrawn.

Similarly, Denk (US 7,971,948), cited as disclosing a claimed monomeric unit (m2) carrying at least one phosphonate group -PO(OH)(OR₁) with R₁ being a hydrogen atom or an alkyl radical containing from 1 to 11 carbon atoms, fails to make up for that lacking EP '464. Specifically, Denk and EP '464 are *not* analogous art because, contrary to the Examiner's assertion, they are not both concerned with the preparation of vinylidene chloride polymers containing adhesion promoters. While EP '464 discusses vinylidene chloride polymers, Denk relates to vinyl chloride copolymers. See col. 1, lines 16-17 of Denk. Because applicants presently claimed co-oligomer O1 must contain at least one monomeric unit identical to that derived from monomer M1 in polymer P1 (vinylidene chloride in the Examiner's prior art combination of EP '464 and Denk) Denk clearly fails as it is directed to a different material altogether.

¹ In this regard, EP '464 and Thames are not directed to analogous art. In addition to the difference in the number and type of components described in each reference, EP '464 is not directed to the "technical difficulty" of preparing internally plasticized latexes, as it is clearly stated in the sentence bridging pages 11-12 thereof that non-internally plasticizing type monomers may be used therein. See also the sentence bridging pages 12-13 of EP '464.

Application No. 10/572,944
Reply to Office Action of March 4, 2009

Accordingly, and in view of the above amendment placing Claim 18 in independent form and the distinguishing, patentable features pointed out above for the presently claimed composition as compared with that suggested by the combination of applied references, applicants respectfully submit that this application is now in condition for allowance, and early notification thereof is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)